

**UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
SOUTHERN DIVISION**

CRAIG PEDERSON and DAVID BROWN, on
behalf of themselves and all others similarly
situated,

Plaintiffs,

v.

AAA COLLECTIONS, INC.,

Defendant.

Case No. 4:22-cv-04166-RAL

Chief Judge Roberto A. Lange

**PLAINTIFFS' UNOPPOSED MOTION FOR PRELIMINARY APPROVAL
OF CLASS ACTION SETTLEMENT**

Plaintiffs Craig Pederson and David Brown ("Plaintiffs"), on behalf of themselves and all others similarly situated, hereby move this Court to:

1. Preliminarily approve the settlement described in the "Settlement Agreement" between Plaintiffs and Defendant, AAA Collections, Inc. ("Defendant" or "AAA") and the attachments thereto (including the Claim Form, the Short Form Notice, the Long Form Notice, the Proposed Preliminary Approval Order, and the Proposed Final Approval Order) filed herewith in support of this Motion as fair, reasonable, and adequate;
2. Conditionally certify the Class pursuant to Rule 23 for settlement purposes only;
3. Approve the Notice Program set forth in the Settlement Agreement, including the form and content of the notices attached to the Settlement Agreement as Exhibits B and D;
4. Designate Plaintiffs Craig Pederson and David Brown as Class Representatives;

5. Appoint Terence R. Coates and Dylan J. Gould of Markovits, Stock & DeMarco, LLC; Joseph Lyon of the Lyon Firm, LLC; Raina Borrelli of Turke & Strauss, LLP; and Pamela Reiter of Reiter Law Firm LLC as Class Counsel;

6. Approve the retention of Analytics Consulting, LLC as Settlement Administrator;

7. Approve the procedures set forth in Section V of the Settlement Agreement (Exhibit 1 to the supporting Memorandum) for Class Members to exclude themselves from the Class or object to the Settlement;

8. Approve the use of a claim form substantially similar to that attached as Exhibit A to the Settlement Agreement, filed herewith;

9. Further stay the Action or otherwise adjourn litigation deadlines pending Final Approval of the Settlement; and,

10. Schedule a Final Approval Hearing for a time and date convenient for the Court one hundred and fifty (150) days or more after a Preliminary Approval Order is entered, at which the Court will conduct an inquiry into the fairness of the Settlement, final approval of the Settlement and consideration of Class Counsel's Motion for Award of Fees, Expenses, and Service Awards for the Class Representatives.

This Motion is based upon: (1) this Motion; (2) the Memorandum in Support of Plaintiffs' Unopposed Motion for Preliminary Approval of Class Action Settlement; (3) the Joint Declaration filed herewith; (4) the Settlement Agreement; (5) the Notices of Class Action Settlement (both Short and Long Form); (6) the Claim Form; (7) the [Proposed] Order Granting Preliminary Approval of Class Action Settlement; (8) the [Proposed] Final Approval Order; (9) the records, pleadings, and papers filed in this action; and (10) upon such other documentary and oral evidence or argument as may be presented to the Court at or prior to the hearing of this Motion.

October 6, 2023

Respectfully Submitted,

REITER LAW FIRM, LLC

BY /s/ Pamela R. Reiter

Pamela R. Reiter
Anthony P. Sutton
5032 S. Bur Oak Place, Suite 205
Sioux Falls, SD 57108
Phone: 605-705-2900
pamela@reiterlawfirmsd.com
anthony@reiterlawfirmsd.com

Terence R. Coates*

Jonathan T. Deters*

Dylan J. Gould*

MARKOVITS, STOCK & DEMARCO, LLC

119 E. Court Street, Suite 530
Cincinnati, OH 45202
Telephone: 513.651.3700
Facsimile: 513.665.0219
tcoates@msdlegal.com
jdeters@msdlegal.com
dgould@msdlegal.com

Joseph M. Lyon*

THE LYON FIRM, LLC

2754 Erie Avenue
Cincinnati, OH 45208
Phone: (513) 381-2333
Fax: (513) 766-9011
jlyon@thelyonfirm.com

Raina C. Borrelli*

TURKE & STRAUSS, LLP

613 Williamson St., Suite 201
Madison, WI 53703
Telephone (608) 237-1775
Facsimile: (608) 509-4423
raina@turkestrauss.com

**Pro Hac Vice*

CERTIFICATE OF SERVICE

I hereby certify that on October 6, 2023, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all counsel of record.

/s/ Pamela R. Reiter
Pamela R. Reiter